

PROFESSIONAL TEST

LONG TEST (Must qualify in categories 2, 3, 4, 5, and 6 and one item in category 1)

1. ☒ Primary duty requires knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized instruction and study;

or

Performs work which is original and creative in character, in a recognized field of artistic endeavor, requiring invention, imagination or talent of employee; or

Imparts knowledge through teaching, tutoring, instructing or lecturing as a recognized or certified teacher; and

2. ☒ Work requires consistent exercise of discretion and judgment in its performance; and

3. ☒ Performs work which is predominantly intellectual and varied and is of a character that the output or result cannot be standardized in terms of time; and

4. ☒ Devotes no more than 20% of weekly hours to work not closely related to the performance of work described in 1 through 3 above; and

5. ☒ Compensated at a rate of not less than \$170 per week; and

6. ☒ Receives a salary which is not reduced for quality or quantity of work.

SHORT TEST

1. Must qualify under the second category and one of the three items in the first category shown above; and

2. Compensated at a rate of \$250 or more per week.

OUTSIDE SALESPERSON*

1. Customarily and regularly engaged away from place of business and employed to:

- A. Sell, or
B. Obtain orders or contracts for service or for use of facilities.

Does not perform work other than that described above which exceeds 20% of the hours worked in the workweek by non-exempt employees who perform that kind of work.

Note: Work performed incidental to and in conjunction with employee's own outside sales or solicitations will not be regarded as non-exempt work.

No salary test is applied to outside salesperson.

*Referred to as "outside salesman" in the law.

NOTE: The distinction between exempt and non-exempt can be very difficult to discern in certain cases. If you have any doubt consult the U.S. Department of Labor and your attorney.

Supervisor

Date

Personnel

Date

APC0149

TESTS FOR EXEMPTION OF EMPLOYEE FROM PROVISIONS OF FAIR LABOR STANDARDS ACT

Name _____ Job Title MATERIALS SUPERVISORS

Department _____ Location KUPARUK Date _____

Basis for exemption: ☐ Executive
☐ Professional

☒ Administrative
☐ Outside Salesperson

EXECUTIVE TEST

LONG TEST (Must qualify in all seven categories listed below)

1. _____ Manages an enterprise or a customarily recognized department or subdivision; and
2. _____ Customarily and regularly directs work of two or more employees; and
- _____ Hires or fires employees, or whose recommendations are given particular weight; and
4. _____ Customarily and regularly exercises discretionary powers; and
5. _____ Devotes no more than 20% of weekly hours to work not closely related to above; and
6. _____ Compensated at a rate of \$155 or more per week; and
7. _____ Receives a salary which is not reduced for quality or quantity of work.

SHORT TEST

1. _____ Must qualify under the first two categories listed above; and
2. _____ Must be compensated at a rate of \$250 or more per week.

ADMINISTRATIVE TEST

LONG TEST (Must qualify in categories 1, 2, 4, 5, and 6 and one item in category 3)

1. ☒ Performs office or non-manual work directly related to management policies or general business operations; and NO
2. ☒ Customarily and regularly exercises discretion and independent judgment; and
3. ☒ Regularly and directly assists an employee in a bona fide executive or administrative capacity; or
- ☒ Performs specialized or technical work requiring special training experience or knowledge under only general supervision; or
- ☒ Executes special assignments and tasks under only general supervision; and
4. ☒ Devotes no more than 20% of weekly hours to work not directly or closely related to above; and
5. ☒ Compensated at a rate of \$155 or more per week; and
6. ☒ Receives a salary which is not reduced for quality or quantity of work.

SHORT TEST

1. _____ Must qualify under categories 1 and 2 above; and
2. _____ Compensated at a rate of \$250 or more per week.

PROFESSIONAL TEST

LONG TEST (Must qualify in categories 2, 3, 4, 5, and 6 and one item in category 1)

1. Primary duty requires knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized instruction and study; or
 - Performs work which is original and creative in character, in a recognized field of artistic endeavor, requiring invention, imagination or talent of employee; or
 - Imparts knowledge through teaching, tutoring, instructing or lecturing as a recognized or certified teacher; and
2. Work requires consistent exercise of discretion and judgment in its performance; and
3. Performs work which is predominantly intellectual and varied and is of a character that the output or result cannot be standardized in terms of time; and
4. Devotes no more than 20% of weekly hours to work not closely related to the performance of work described in 1 through 3 above; and
5. Compensated at a rate of not less than \$170 per week; and
6. Receives a salary which is not reduced for quality or quantity of work.

SHORT TEST

1. Must qualify under the second category and one of the three items in the first category shown above; and
2. Compensated at a rate of \$250 or more per week.

OUTSIDE SALESPERSON*

1. Customarily and regularly engaged away from place of business and employed to:
 - A. Sell, or
 - B. Obtain orders or contracts for service or for use of facilities.
2. Does not perform work other than that described above which exceeds 20% of the hours worked in the workweek by non-exempt employees who perform that kind of work.

Note: Work performed incidental to and in conjunction with employee's own outside sales or solicitations will not be regarded as non-exempt work.

No salary test is applied to outside salesperson.

*Referred to as "outside salesman" in the law.

NOTE: The distinction between exempt and non-exempt can be very difficult to discern in certain cases. If you have any doubt consult the U.S. Department of Labor and your attorney.

HAVE DISK DOCUMENT 2

Supervisor

Date

Personnel

Date

APC0151

TESTS FOR EXEMPTION OF EMPLOYEE FROM PROVISIONS OF FAIR LABOR STANDARDS ACT

624
25
26

Name _____ Job Title FOREMAN
Department _____ Location KUPARUK Date _____

Basis for exemption: ☐ Executive ☐ Administrative
☐ Professional ☐ Outside Salesperson

EXECUTIVE TEST

LONG TEST (Must qualify in all seven categories listed below)

1. _____ Manages an enterprise or a customarily recognized department or subdivision; and
2. _____ Customarily and regularly directs work of two or more employees; and
- _____ Hires or fires employees, or whose recommendations are given particular weight; and
4. _____ Customarily and regularly exercises discretionary powers; and
5. _____ Devotes no more than 20% of weekly hours to work not closely related to above; and
6. _____ Compensated at a rate of \$155 or more per week; and
7. _____ Receives a salary which is not reduced for quality or quantity of work.

SHORT TEST

1. _____ Must qualify under the first two categories listed above; and
2. _____ Must be compensated at a rate of \$250 or more per week.

ADMINISTRATIVE TEST

LONG TEST (Must qualify in categories 1, 2, 4, 5, and 6 and one item in category 3)

1. _____ Performs office or non-manual work directly related to management policies or general business operations; and
2. _____ Customarily and regularly exercises discretion and independent judgment; and
3. _____ Regularly and directly assists an employee in a bona fide executive or administrative capacity; or
- _____ Performs specialized or technical work requiring special training experience or knowledge under only general supervision; or
- _____ Executes special assignments and tasks under only general supervision; and
4. _____ Devotes no more than 20% of weekly hours to work not directly or closely related to above; and
5. _____ Compensated at a rate of \$155 or more per week; and
6. _____ Receives a salary which is not reduced for quality or quantity of work.

SHORT TEST

1. _____ Must qualify under categories 1 and 2 above; and
2. _____ Compensated at a rate of \$250 or more per week.

PROFESSIONAL TEST

LONG TEST (Must qualify in categories 2, 3, 4, 5, and 6 and one item in category 1)

1. 2 Primary duty requires knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized instruction and study; or
 — Performs work which is original and creative in character, in a recognized field of artistic endeavor, requiring invention, imagination or talent of employee; or
 — Imparts knowledge through teaching, tutoring, instructing or lecturing as a recognized or certified teacher; and
2. 2 Work requires consistent exercise of discretion and judgment in its performance; and
Follow Policy 2
3. — Performs work which is predominantly intellectual and varied and is of a character that the output or result cannot be standardized in terms of time; and
4. — Devotes no more than 20% of weekly hours to work not closely related to the performance of work described in 1 through 3 above; and
5. X Compensated at a rate of not less than \$170 per week; and
6. X Receives a salary which is not reduced for quality or quantity of work.

SHORT TEST

1. — Must qualify under the second category and one of the three items in the first category shown above; and
2. — Compensated at a rate of \$250 or more per week.

OUTSIDE SALESPERSON*

1. — Customarily and regularly engaged away from place of business and employed to:
 - A. Sell, or
 - B. Obtain orders or contracts for service or for use of facilities.
2. — Does not perform work other than that described above which exceeds 20% of the hours worked in the workweek by non-exempt employees who perform that kind of work.

Note: Work performed incidental to and in conjunction with employee's own outside sales or solicitations will not be regarded as non-exempt work.

No salary test is applied to outside salesperson.

*Referred to as "outside salesman" in the law.

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Supervisor

Date

Personnel

Date

APC0153

TESTS FOR EXEMPTION OF EMPLOYEE FROM PROVISIONS OF FAIR LABOR STANDARDS ACT

Name _____ Job Title SAFETY SPECIALIST
 Department _____ Location KUPAUK Date _____

Basis for exemption: ☐ Executive ☒ Professional ☒ Administrative ☐ Outside Salesperson

EXECUTIVE TEST

LONG TEST (Must qualify in all seven categories listed below)

1. _____ Manages an enterprise or a customarily recognized department or subdivision; and
2. _____ Customarily and regularly directs work of two or more employees; and
3. _____ Hires or fires employees, or whose recommendations are given particular weight; and
4. _____ Customarily and regularly exercises discretionary powers; and
5. _____ Devotes no more than 20% of weekly hours to work not closely related to above; and
6. _____ Compensated at a rate of \$155 or more per week; and
7. _____ Receives a salary which is not reduced for quality or quantity of work.

SHORT TEST

1. _____ Must qualify under the first two categories listed above; and
2. _____ Must be compensated at a rate of \$250 or more per week.

ADMINISTRATIVE TEST

LONG TEST (Must qualify in categories 1, 2, 4, 5, and 6 and one item in category 3)

1. ☒ Performs office or non-manual work directly related to management policies or general business operations; and
2. ☒ Customarily and regularly exercises discretion and independent judgment; and
3. ☒ Regularly and directly assists an employee in a bona fide executive or administrative capacity; or
- ☒ Performs specialized or technical work requiring special training experience or knowledge under only general supervision; or
- ☒ Executes special assignments and tasks under only general supervision; and
4. _____ Devotes no more than 20% of weekly hours to work not directly or closely related to above; and
5. ☒ Compensated at a rate of \$155 or more per week; and
6. ☒ Receives a salary which is not reduced for quality or quantity of work.

SHORT TEST

1. _____ Must qualify under categories 1 and 2 above; and
2. _____ Compensated at a rate of \$250 or more per week.